



MONTHLY HIGHLIGHTS

NOAA
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
HABITAT CONSERVATION DIVISION

DECEMBER 2000

GLOUCESTER, MA OFFICE, ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930

NEW BEDFORD HARBOR RESTORATION PROJECTS

The New Bedford Harbor Trustee Council has made final decisions on 17 natural resource restoration projects totaling up to \$9.331 million, designed to address the injuries resulting from the release of hazardous substances, including polychlorinated biphenyls (PCBs), into New Bedford Harbor. In August 1999, the Council solicited ideas from the public, academia, and municipal, state and federal governments that would restore, replace or acquire the equivalent of natural resources injured in the harbor environment. A total of 35 ideas were received. The Council selected 17 restoration ideas for potential implementation and requested public comment on this selection. The Council reached its final decision on the projects after considering over 650 comment letters. The final decision allows the Council to begin the process of implementing the projects. **(Jack Terrill, 978/ 281-9136; Jack.Terrill@NOAA.GOV)**

YANKEE MARINE BERTHING FACILITY

The Yankee Fleet Inc. has proposed building a new berthing facility off the western bank of the Annisquam River in Gloucester, Massachusetts. The new facility would be used for permanent vessel docking and passenger boardings for whale watch and daily fishing excursions. The proposed project includes construction of a 8-foot wide by 320-foot long pile supported pier, a 9-foot wide by 433-foot pile supported float system and approximately one acre of improvement dredging. All of the proposed construction and dredging activities would take place and impact ecologically important salt marsh, mud flat and shallow water habitat. NMFS staff provided comments to the Massachusetts Executive Office of Environmental Affairs highlighting concerns about the individual and cumulative impacts and requested that the applicant be required to assess these impacts in an Environmental Impact Report (EIR). NMFS emphasized the need to undertake a rigorous alternatives analysis to identify options which would avoid these impacts. The state concurred, and is requiring the applicant to address NMFS and other resource agency concerns in an EIR. **(Eric Hutchins, 978/ 281-9313)**

JAMES J. HOWARD MARINE SCIENCES LABORATORY, HIGHLANDS, NJ 07732

HACKENSACK MEADOWLANDS

MEADOWLANDS INTERAGENCY MITIGATION ADVISORY COMMITTEE(MIMAC)

The monthly MIMAC meeting focused on several ongoing projects including the Marsh Resources Mitigation Bank, the EnCap golf course project and the Empire Mills project. Representatives of Marsh Resources presented the first year monitoring report for phase one of the site, and requested that the credits for completion of this task be released. It appears that phase one is developing nicely with 86% vegetative coverage (if *Phragmites communis* is included), and 77% vegetative coverage excluding *Phragmites*. The *Phragmites* is being monitored to ensure that it does not become invasive. Construction of phase two began in November, 2000. The MIMAC will review Marsh Resources' monitoring report and make their recommendation to the Army Corps of Engineers (ACOE) on the credit release by the next meeting.

EnCap Golf and Hackensack Meadowlands Development Commission (HMDC) have jointly applied to remediate three "orphan" landfills (Avon, Lyndhurst and Rutherford) using processed dredged material, and to redevelop them as a golf course and other associated development. Orphan landfills are inactive landfills with no clear owner or responsible party. EnCap will spend between \$70- 80 million to remediate the landfills. Closure plans are also being developed for the other landfills by other entities so that all of the orphan landfills in the Meadowlands will be properly capped and closed. EnCap proposes to fill approximately 8.9 acres to complete the remediation on the Avon, Lyndhurst and Rutherford landfills. Work also includes dredging in the Hackensack River and Berrys Creek to construct a barge off loading area. The MIMAC is continuing to review the project and the proposed mitigation. In addition, the US Fish and Wildlife Service announced that they just received \$130,000 to do a natural resources damage assessment study at Berrys Creek in FY 2001.

Discussions continued about the mitigation for the Mills project and meetings planned between Mills, the Environmental Protection Agency (EPA) and the ACOE. The ACOE reported that Mills has a revised mitigation plan, but the MIMAC has not yet seen the plan. Lastly, the HMDC reported that redevelopment of brownfields in the Meadowlands is growing due to the recent state laws to encourage brownfield redevelopment. This has resulted in developers looking to those brownfield sites rather than wetlands. **(Karen Greene, 732/ 872-3023)**

BARNEGAT BAY NATIONAL ESTUARY PROGRAM

The Habitat Conservation Division (HCD) staff attended one of the two Management Committee meetings held in December. In order to complete the Comprehensive Conservation and Management Plan (CCMP) and have it approved by the Policy Committee before January 19, 2001, the Management Committee, the Scientific and Technical Committee and the program staff are trying to quickly revise the document in accordance with the recommendations of EPA's Headquarters. Changes were needed to link the Action Items in the plan to the goals and objectives of the CCMP, to better define the costs of the action items, to refine the monitoring plan and to set quantitative goals by which progress can be measured. EPA Headquarters also requested that the program develop criteria

to prioritize the action items. It is expected that the CCMP will be presented to the Policy Committee in early January, as will the Characterization Report. **(Karen Greene, 732/ 872-3023)**

US DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION AND NEW JERSEY DEPARTMENT OF TRANSPORTATION

HCD staff has reviewed and provided comments on the Draft Environmental Impact Statement (DEIS) for the Route 52 causeway reconstruction from Route 9 to Ocean City, New Jersey. Our comments include recommendations for the least environmentally damaging alternative and the request that they fulfill the requirement to provide an EFH assessment. The alternative that was selected as the preferred alternative would construct a fixed span bridge and realign a section of the Intracoastal Waterway (ICWW) which would require new dredging and impact estuarine emergent wetlands by filling. HCD staff recommended the least damaging alternative would be to construct a new bascule bridge and therefore not require the realignment of the Intracoastal Waterway (ICWW) and the subsequent maintenance dredging within Great Egg Harbor Bay. The proposed project area provides important habitats for benthic organisms, including shellfish and many species of finfish which would be impacted by the initial dredging and the periodic maintenance dredging. **(Anita Riportella, 732/ 872-3116, anita.riportella@noaa.gov)**

NEW YORK HARBOR DREDGED MATERIAL MANAGEMENT

The EPA, Region 2 has developed changes to the criteria for dredged material that can be disposed of at the Historic Area Remediation Site (HARS - the former Mud Dump Site). However, because the changes are controversial, EPA has established a Remediation Material Technical Committee to critique the criteria. Staff from the Marine Chemistry Branch at the Howard Lab have been attending the Technical Committee meetings to assist HCD. On January 14, Stan Gorski and Mike Ludwig attended a policy level meeting to help guide the direction of the Technical Committee. One of the issues brought up was the suggestion that the agencies and the other parties consider dredged material management on an ecosystem basis; that is, to consider the overall implication to the Harbor Ecosystem if even less dredged material can be disposed of at the HARS when the alternatives are very limited. **(Stan Gorski, 732/ 872-3037; or Mike Ludwig, 203/ 579-7004)**

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CONFINED DISPOSAL FACILITY PROPOSED IN BROOKLYN WATERFRONT

The Brooklyn Navy Yard Development Corporation (BNYDC) recently met with the ACOE, EPA and HCD staff to discuss preliminary plans to construct a confined disposal facility (CDF) in which to dispose dredged material from several of their berthing areas. If constructed as proposed, the CDF would entail the permanent filling of approximately four acres of Wallabout Barge Basin. The project proponents have asserted that the maintenance dredging is necessary to permit continued use of several berthing areas in the former Brooklyn Navy Yard. Since the presumed sediment quality in the former Navy Yard may not be suitable for disposal at the Historic Area Remediation Site (HARS), the BNYDC is seeking other disposal alternatives, including the CDF. **(Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov)**

HIGHWAY CONSTRUCTION WORK PROPOSED AT NY Rt 394 - US Rt 20

Staff recently reviewed the design report and environmental assessment for PIN#5064.18, a proposed highway improvement project. Based upon the material available to date, it does not appear that project construction will have negative impacts on resources of concern to the National Marine Fisheries Service. A letter to that effect will be forthcoming to the New York State Department of Transportation in January. (Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov)

IROQUOIS GAS TRANSMISSION SYSTEM FILES ALTERNATIVE PIPELINE ROUTE

The Iroquois Pipeline Transmission company recently filed an alternative routing for a portion of its Eastchester Extension. The proposed alternative for this natural gas pipeline would involve changing the western portion of the alignment from moving up Eastchester Bay and across Pelham Bay Park to making landfall in The Bronx at Locust Point. Public road rights-of-way are proposed for the upland portions of this revised route, including a proposal to use horizontal directional drilling across a portion of the Hutchinson River Parkway. HCD staff will be reviewing this project during at least the first half of 2001. Essential Fish Habitat and Endangered Species Act reviews will be important parts of that process. (Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov)

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MUTE SWANS VERSUS SUBMERGED AQUATIC VEGETATION (SAV)

Mute swans, a European species introduced into Chesapeake Bay in 1962, has now spread throughout Maryland waters and have entered Virginia. Although only five birds were originally introduced, the population has now expanded to approximately 4000, and is expected to double every three years. Mute swans feed heavily on SAV. Waterfowl biologists estimate that they eat over nine million pounds of grass per year, pulling many of the plants up by the roots, and unlike migratory waterfowl that primarily feed on SAV after the plants have disseminated their seeds, mute swans feed on SAV year-round. Restoration of underwater grasses is a major priority of the Bay Agreement, but the accelerating population explosion of mute swans threatens that goal. Maryland DNR is considering various measures to control mute swan populations. (Tim Goodger, 410/ 226-5771)

ARMY CREEK RESTORATION

Restoration planning for Army Creek Landfill, a Superfund Site in New Castle County, Delaware, was initiated in 1991, and implementation was scheduled to begin in early 1997. However, additional contamination from another source was discovered, which continues to delay the project. The State has negotiated an agreement with the responsible parties that involves further remedial investigation to determine the extent of contamination so that a thorough removal action can be executed. It is anticipated that the remedial investigation will be completed by June with remediation to follow. It is unlikely that restoration will be initiated this year. When completed, the restoration will affect 2.5 miles of tidal stream and 225 acres of contiguous wetlands. (Tim Goodger, 410/ 226-5771)